



SHIRE OF  
**DOWERIN**  
TIN DOG TERRITORY

# MINUTES

## Ordinary Council Meeting

Held in Council Chambers  
13 Cottrell Street, Dowerin WA 6461  
Tuesday 21 January 2020



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Shire of Dowerin  
Ordinary Council Meeting  
Tuesday 21 January 2020



1. Official Opening / Obituaries

The President welcomed those in attendance and declared the meeting open at 2.00pm. In opening the meeting the President and Councillors acknowledged the passing of Mr Gregory Anderson with a minute's silence.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr DP Hudson	President
Cr AJ Metcalf	Deputy President
Cr JC Chatfield	
Cr LG Hagboom	
Cr LH Holberton	
Cr JC Sewell	
Cr RI Trepp	
Cr BA Ward	

Staff

Ms R McCall	Chief Executive Officer
Mr G Brigg	Manager Works & Assets
Ms V Green	Executive & Governance Officer

Members of the Public: Ms Roberta Cooper

Apologies: Ms C Delmage, Manager Corporate & Community Services

Approved Leave of Absence: Nil

3. Public Question Time

Nil

4. Disclosure of Interest

Nil

5. Applications for Leave of Absence

Nil

6. Petitions and Presentations

Nil

## 7. Confirmation of Minutes of the Previous Meeting(s)

7.1 Ordinary Council Meeting held on 17 December 2019

[Attachment 7.1A](#)

7.1 Special Council Meeting held on 14 January 2020

[Attachment 7.1B](#)

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation/Resolution

Moved: Cr Chatfield

Seconded: Cr Holberton

0124 That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council confirms the Minutes of the Ordinary Council Meeting held on 17 December 2019, as presented in Attachment 7.1A, and the Minutes of the Special Council Meeting held on 14 January 2020, as presented in Attachment 7.1B, are a true and correct record of proceedings.

CARRIED 8/0

## 8. Minutes of Committee Meeting(s) to be Received

8.1 Audit & Risk Committee Meeting held on 19 December 2019

[Attachment 8.1A](#)

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation/Resolution

Moved: Cr Metcalf

Seconded: Cr Ward

0125 That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Audit & Risk Committee Meeting (unconfirmed) held on 19 December 2019, as presented in Attachment 8.1A.

CARRIED 8/0

## 9. Announcements by the President Without Discussion

The President welcomed Councillors and staff back for 2020, adding that he hoped everyone had a good Christmas break and wished them a Happy New Year.

## 10. OFFICER'S REPORTS – CORPORATE AND COMMUNITY SERVICES

### 10.1 Financial Activity Statements

<h1>Corporate &amp; Community Services</h1>		 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY
Date:	9 January 2020	
Location:	Not Applicable	
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services	
Author:	As above	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
SharePoint Reference:	Organisation/Financial Management/Reporting/Financial Statements/2019-2020 Monthly Financial Statements	
Disclosure of Interest:	Nil	
Attachments:	<a href="#">Attachment 10.1A</a> - Financial Activity Statements	

#### Purpose of Report

Executive Decision

Legislative Requirement

#### Summary

For Council to receive the Statement of Financial Activity, which includes the Detailed Schedules, Statement of Financial Position, Current Ratios and Investment Register for December 2019.

#### Background

Section 6.4 of the *Local Government Act 1995* requires a Local Government to prepare financial reports.

The *Local Government (Financial Management) Regulations 1996* Regulations 34 & 35 set out the form and content of the financial reports which have been prepared for October and November 2019 and are presented to Council for approval.

#### Comment

In order to fulfil statutory reporting requirements, and to provide Council with a synopsis of the Shire of Dowerin's overall financial performance on a year to date basis, the following financial reports are provided to Council.

#### Statements of Financial Activity – Statutory Reports by Program and Nature or Type

The Statements of Financial Activity provide details of the Shire's operating revenues and expenditures on a year to date basis. The reports further include details of non-cash adjustments and capital revenues and expenditures, to identify the Shire's net current position; which reconciles with that reflected in the associated Net Current Position note (Note 3).

#### Capital Acquisitions

This report provides year to date budget performance in respect of the capital expenditure activities and their funding sources. Individual project information can be found at Note 13.

#### Note 1 – Significant Accounting Policies

This note provides details of the accounting policies relating to the Shire's accounts.

#### Note 2 - Explanation of Material Variances

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 5% or \$10,000, whichever is the greater. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

#### Note 3 - Net Current Funding Position - Statutory Requirement

This note provides details of the composition of the net current asset position on a year to date basis and reconciles with the closing funding position as per the Statement of Financial Activity.

#### Note 4 – Cash and Investments

This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at reporting date.

#### Note 5 – Budget Amendments

This note provides Council with a list of all budget amendments to date. To date, only one budget amendment (nil impact) has been approved by Council as follows:

GL: MEMBERS; Election Expenses	OCM240919; 043	\$5,000
GL: GOV OTHER; Advertising	OCM240919; 043	(\$2,500)
GL: ADMIN O/HEADS; Advertising	OCM240919; 043	(\$2,500)

Note 5 has been excluded from the attached monthly financial statements as they are currently being utilised for the purpose of the upcoming budget review so are detailed with information that has yet to be presented to Council.

#### Note 6 – Receivables

This note provides Council with the sundry debtors outstanding as at reporting date.

#### Note 7 - Cash Backed Reserves

This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year to date basis.

#### Note 8 – Capital Disposals

This note gives details of the capital asset disposals during the year.

#### Note 9- Rating Information

This note provides details of rates levied during the year.

#### Note 10 – Information on Borrowings

This note shows the Shire's current debt position and lists all borrowings.

#### Note 11 – Grants and Contributions Received

This note provides information on the operating and non-operating grants received.

#### Note 12 – Trust Funds

This note shows the balance of funds held by the Shire in its Trust Fund on behalf of another person/entity.

#### Note 13- Capital Acquisitions

This note details the capital expenditure program for the year.

Consultation

Rebecca McCall, Chief Executive Officer

Megan Shirt, Consultant

Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies.

### Strategic Implications

#### Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

#### Asset Management Plan

Nil

#### Long Term Financial Plan

Nil

### Statutory Implications

Council is required to adopt monthly statements of financial activity to comply with Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*.

### Risk Implications

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

### Financial Implications

The budgeted opening funding surplus as per the 2019/20 Budget adopted on 23 July 2019 presents as \$730,000 (Rate Setting Statement). This is an estimate based on information available at the end of year and will be confirmed or modified once the Annual Financial Report has been signed off by the Office of the Auditor General.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation/Resolution

Moved: Cr Ward

Seconded: Cr Metcalf

0126 That, pursuant to Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996*, Council receives the statutory Financial Activity Statement report for the period ending 31 December 2019, as presented in Attachment 10.1A.

CARRIED 8/0

10.2 List of Accounts Paid

## Corporate & Community Services



Date:	9 January 2020
Location:	Not Applicable
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation/Financial Management/Reporting/Financial Statements and Credit Cards
Disclosure of Interest:	Nil
Attachments:	<a href="#">Attachment 10.2A</a> - List of Accounts Paid

### Purpose of Report



Executive Decision



Legislative Requirement

### Summary

This Item presents the List of Accounts Paid, paid under delegated authority, for December 2019.

### Background

Nil

### Comment

The List of Accounts Paid as presented has been reviewed by the M CCS.

### Consultation

Rebecca McCall, CEO

Cherie Delmage, M CCS

Kathy Brigg, Finance Officer

### Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies. Payments have been made under delegated authority.

### Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders



Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

Asset Management Plan

Nil

Long Term Financial Plan

Nil

#### Statutory Implications

Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for adoption by Council showing creditors paid under delegated authority.

#### Risk Implications

Council would be contravening to the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this item was not presented.

#### Financial Implications

Funds expended are in accordance with Council's adopted 2019/20 Budget.

#### Voting Requirements

Simple Majority

Absolute Majority

#### Officer's Recommendation/Resolution

Moved: Cr Trepp

Seconded: Cr Ward

0127 That, in accordance with Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, Council receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Dowerin Municipal Fund, as presented in Attachment 10.2A, and as detailed below:

List of Accounts Paid - December 2019	
EFT7315 To EFT7388	239,830.90
DD10814, DD10829; Superannuation	13,401.13
Cheques 10753 to 10763	43,650.40
DD10822, DD10827; WA Treasury Loan Repayments	51,897.16
DD10817; NAB Credit Card; December 2019	4,161.09
DD10810; Puma Energy Fuel; December 2019	1,582.12
Net Payroll; PPE 11 December 2019	77,569.25
Net Payroll; PPE 20 December 2019	51,670.48
TOTAL	\$483,762.73

CARRIED 8/0

10.3 Recalcitrant Rates Debtors

## Corporate & Community Services



Date:	14 January 2020
Location:	Nil
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	Vanessa Green, Executive & Governance Officer
Legislation:	Nil
SharePoint Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

### Officer's Comment

Nil report this month due to the Christmas break and annual leave period. The report will be presented to Council's February 2020 meeting.

11. OFFICER'S REPORTS – GOVERNANCE AND COMPLIANCE

11.1 Road Verge Management Advisory Committee – Terms of Reference Review

<h2 style="color: red;">Governance &amp; Compliance</h2>		 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY
Date:	7 January 2020	
Location:	Not applicable	
Responsible Officer:	Rebecca McCall, Chief Executive Officer	
Author:	Vanessa Green, Executive & Governance Officer	
Legislation:	<i>Local Government Act 1995</i>	
SharePoint Reference:	Organisation/Governance/Committees/Committee Members & Terms of Reference	
Disclosure of Interest:	Nil	
Attachments:	<a href="#">Attachment 11.1A</a> – Reviewed Terms of Reference	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the reviewed Terms of Reference (ToR) for the Road Verge Management Advisory Committee (RVMAC) to Council for consideration and, if satisfactory, adoption.

Background

At its October 2019 meeting Council resolved to re-establish the RVMAC and appointed Councillors Hagboom and Holberton as its representatives to the RVMAC (CMRef 0060). The RVMAC's ToR were not reviewed at that time.

The RVMAC's ToR stipulate that membership is to consist of six members, being two elected members and four external community representatives. In accordance with this the Shire sought Expressions of Interest from interested community members for the four external representative positions. This advertisement was included in Council Comments in the Despatch on 14 November 2019 and on the Shire's Facebook page on 15 November 2019.

At the close of nominations (Tuesday 3 December 2019) no nominations had been received.

Staff subsequently wrote to those community members either previously appointed to the RVMAC or who had expressed in interest in being appointed to the RVMAC to ascertain whether they wished to re-nominate for one of the four available positions. A nomination form was included with the correspondence and the revised deadline for submissions was Monday 16 December 2019.

Comment

That process attracted three nominations from community members who were previously appointed to the RVMAC but for various reasons had missed the Despatch and Facebook notices.

Despite two separate attempts it has not been possible to fill all four of the available external community representative positions.

It had been previously suggested that the RVMAC be disbanded. The main reasons being that the RVMAC is an optional committee, which does not have delegated authority to make decisions, as such any recommendation of the RVMAC require a Council resolution. To avoid duplication and create efficiencies it could be argued that it makes sense for any matters which may come under consideration of the RVMAC to be presented direct to Council as and when the need arises. This also enables the whole of Council to have input into the decision and a full investigation of any matter to be undertaken, considering asset management, budget and compliance requirements. Additionally, Council's Street Tree Policy and Road Engineering Policy stipulate the parameters on how Council will manage its road verges.

While disbanding the RVMAC is an option to Council it is felt there is no appetite currently within Council for that to occur. Therefore it was decided to review the RVMAC's ToR to enable less external community representatives to be appointed. At the same time other minor amendments were made the the ToR to bring them into line with current operations and a tracked-changes copy is included as an Attachment.

#### Consultation

Council Workshop 17 December 2019

#### Policy Implications

Nil

#### Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 3

Reference: L5

Asset Management Plan

Nil

Long Term Financial Plan

Nil

#### Statutory Implications

Section 5.8 of the *Local Government Act 1995* stipulates the manner for the establishment of committees. An Absolute Majority decision of Council is required.

#### Risk Implications

Terms of Reference ensure committee members are aware of their role and responsibilities and mitigates the risk of committees acting outside their responsibility.

#### Financial Implications

Section 5.98 of the *Local Government Act 1995* states a Councillor who attends a Council or Committee Meeting is entitled to be paid the fee determined for attending a Council or Committee Meeting.

The 2019/20 Budget includes an allocation for this purpose at GL 20425 Members - Sitting Fees.

#### Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Trepp

Seconded: Cr Sewell

0128 That, by Absolute Majority in accordance with Section 5.8 of the *Local Government Act 1995*, Council adopts the reviewed Terms of Reference for the Road Verge Management Advisory Committee, as presented in Attachment 11.1A.

CARRIED BY ABSOLUTE MAJORITY 8/0

11.2 Road Verge Management Advisory Committee – Applications for Membership – Community Representation

## Governance & Compliance



Date:	9 January 2020
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Vanessa Green, Executive & Governance Officer
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Organisation/Governance/Committees/Committee Members & Terms of Reference
Disclosure of Interest:	Nil
Attachments:	<a href="#">Attachment 11.2A</a> – Applications for Membership

### Purpose of Report



Executive Decision



Legislative Requirement

### Summary

This Item presents applications for community representation to the Road Verge Management Advisory Committee (RVMAC) to Council for consideration and, if satisfactory, adoption.

### Background

As mentioned in Item 11.1, at its October 2019 meeting Council resolved to re-establish the RVMAC and appointed Councillors Hagboom and Holberton as its representatives to the RVMAC (CMRef 0060).

The RVMAC’s Terms of Reference stipulate that membership is to consist of six members, being two elected members and four external community representatives. In accordance with this the Shire sought Expressions of Interest from interested community members for the four external representative positions. This advertisement was included in Council Comments in the Despatch on 14 November 2019 and on the Shire’s Facebook page on 15 November 2019.

At the close of nominations (Tuesday 3 December 2019) no nominations had been received.

Staff subsequently wrote to those community members either previously appointed to the RVMAC or who had expressed in interest in being appointed to the RVMAC to ascertain whether they wished to re-nominate for one of the four available positions. A nomination form was included with the correspondence and the revised deadline for submissions was Monday 16 December 2019.

That process attracted three nominations from community members who were previously appointed to the RVMAC but for various reasons had missed the Despatch and Facebook notices.

### Comment

With the amendment to the RVMAC’s Terms of Reference in [Item 11.1](#) it is now possible to appoint less than four external community representatives (assuming that Council resolves in favour of the Officer’s Recommendation for that Item).

The nominations received are included as an Attachment.

The RVMAC was established in February 2018 (Item 10.1.3) and since then has met twice, in May 2018 and March 2019.

The RVMAC is not largely active and does not have delegated authority, however while there is no appetite within Council for the RVMAC to be disbanded it is recommended that those community members who nominated for representation be appointed.

#### Consultation

Dowerin Despatch 14 November 2019

Shire of Dowerin Facebook Page 15 November 2019

Council Workshop 17 December 2019

#### Policy Implications

Nil

#### Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 3

Reference: L5

Community Priority: Our Lifestyle

Objective: A safe, friendly and engaged community with diverse education and employment opportunities and services that meet the needs of all generations

Outcome: 3

Reference: C4

Asset Management Plan

Nil

Long Term Financial Plan

Nil

#### Statutory Implications

Section 5.10 of the *Local Government Act 1995* stipulates the manner for the appointment of Committee members to committees. An Absolute Majority decision of Council is required.

#### Risk Implications

Clearly defined Terms of Reference ensure committee members are aware of their role and responsibilities and mitigates the risk of committees acting outside their responsibility. The Terms of Reference also includes the requirement for adherence to the Shire's Code of Conduct.

Despite this, there may be the risk external committee members have expectations that cannot be met.

#### Financial Implications

Section 5.98 of the *Local Government Act 1995* states a Councillor who attends a Council or Committee Meeting is entitled to be paid the fee determined for attending a Council or Committee Meeting.

The 2019/20 Budget includes an allocation for this purpose at GL 20425 Members - Sitting Fees.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation

That, by Absolute Majority in accordance with Section 5.10 of the *Local Government Act 1995*, Council appoints the following nominees as community representatives to the Road Verge Management Advisory Committee:

1. Mr Rob Boase;
2. Mrs Lyn Phillips; and
3. Mr Adam Turriff,

with the appointments being valid until the 2021 Local Government Ordinary Elections.

### Resolution

Moved: Cr Holberton

Seconded: Cr Ward

**0129** That, by Absolute Majority in accordance with Section 5.10 of the *Local Government Act 1995*, Council appoints the following nominees as community representatives to the Road Verge Management Advisory Committee:

1. Mr Rob Boase;
2. Mrs Lyn Phillips;
3. Mr Adam Turriff; and
4. Mr Matt Couper (subject to his formal acceptance),

with the appointments being valid until the 2021 Local Government Ordinary Elections.

CARRIED BY ABSOLUTE MAJORITY 8/0

### Reason

Councillor Hagboom advised that Mr Couper had previously expressed an interest to be a member of the Committee.



12. OFFICER'S REPORTS – WORKS AND ASSETS

Nil items to report.

13. Urgent Business Approved by the Person Presiding or by Decision

Nil

14. Elected Members' Motions

Nil

15. Matters Behind Closed Doors

15.1 Regional Collaboration

In accordance with Section 5.23(2)(c) of the *Local Government Act 1995*, Council went Behind Closed Doors to discuss a contract entered into, or which may be entered into.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Ward

Seconded: Cr Hagboom

0130 That, in accordance with Section 5.23(2)(c) of the *Local Government Act 1995*, Council go Behind Closed Doors.

CARRIED 8/0

2.39pm - Council went Behind Closed Doors.

2.39pm - Ms Cooper left the meeting and did not return.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Metcalf

Seconded: Cr Chatfield

0131 That, in accordance with Section 5.23 of the *Local Government Act 1995*, Council come out from Behind Closed Doors.

CARRIED 8/0

2.53pm - Council came out from Behind Closed Doors.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Metcalf

Seconded: Cr Ward

0132 That, in accordance with Section 3.18 of the *Local Government Act 1995*, Council:

1. advises the Avon Regional Organisation of Councils (AROC) that the Shire of Dowerin intends to withdraw its membership and requests consideration to exit AROC effective 30 June 2020 without losing the Shire of Dowerin's share of net value as detailed in Clause P(4) of the Memorandum of Understanding dated 3 April 2017;

2. should AROC choose to hold the Shire of Dowerin to the requirements of the Memorandum of Understanding, the Shire of Dowerin requests to pay a partial annual membership fee for the 2020/21 financial year; and
3. advises the North Eastern Wheatbelt Regional Organisation of Council's (NEWROC) of the Shire of Dowerin's intention to exit AROC and pursue the opportunity to enter into NEWROC as a financial member as of 1 July 2020.

CARRIED 8/0

16.	Closure
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There being no further business the President thanked those in attendance and declared the meeting closed at 2.55pm.